

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TYLER DIVISION**

POZEN INC.	§	
	§	
Plaintiff,	§	
	§	
v.	§	CIVIL ACTION No. 6:08cv437-LED-JDL
	§	
PAR PHARMACEUTICAL, INC., ALPHAPHARM PTY LTD, TEVA PHARMACEUTICALS USA INC., DR. REDDY'S LABORATORIES, INC.	§ § § § § § § § §	CONSOLIDATED with CIVIL ACTION No. 6:09cv003 and CIVIL ACTION No. 6:09cv182
Defendants.	§	

FINAL JUDGMENT

This final judgment is entered pursuant to Fed.R.Civ.P. 58 and Plaintiff Pozen Inc.'s Stipulation of Non-Infringement. It is hereby **ORDERED, ADJUDGED** and **DECREED** that:

1. Defendant Alphapharm Pty Ltd.'s ("Alphapharm") product that is the subject of Abbreviated New Drug Application No. 90-872 ("Alphapharm's ANDA Product") does not meet the limitation "substantially all of said triptan is in a first layer of said tablet and substantially all of said naproxen is in a second, separate layer" of the claims of U.S. Patent No. 7,332,183 ("the '183 patent") as that term has been construed by this Court. Therefore, Alphapharm's ANDA Product does not infringe the claims of the '183 patent, as construed.

2. **FINAL JUDGMENT** with respect to Plaintiff Pozen Inc.'s claim of infringement of the '183 patent against Alphapharm is entered in favor of Alphapharm, and Pozen shall take nothing of and from its claims of infringement of the '183 patent against Alphapharm.

3. Alphapharm's counterclaims with respect to the '183 patent are dismissed as

moot.

This is a final appealable judgment.

So ORDERED and SIGNED this 14th day of September, 2010.

A handwritten signature in black ink, appearing to read 'Leonard Davis', written over a horizontal line.

**LEONARD DAVIS
UNITED STATES DISTRICT JUDGE**